

FILED

MARCH 11, 2004

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS

NEW JERSEY STATE BOARD)
OF MEDICAL EXAMINERS)

IN THE MATTER OF)
ELIO MAGGIO, W.D.)

ORDER OF REINSTATEMENT
OF LICENSURE

This matter was opened to the New Jersey State Board of Medical Examiners by way of receipt of a request for reinstatement of license. In a Final Order filed in July 1974, Dr. Maggio's New Jersey medical license was suspended based upon his criminal conviction in New York State for dispensing narcotic drugs in bad faith. The Order provided that Respondent's license to practice medicine and surgery in the State of New Jersey was suspended and that the Board would not consider an application for reinstatement until all terms and conditions of his conviction had been satisfied. Thereafter Respondent filed six petitions for reinstatement, all of which were denied. In connection with the 1991 petition for reinstatement, the Board informed Respondent that it would entertain a new petition at such time as he demonstrates that his license to practice medicine and surgery in the State of New York is fully reinstated. In April 1997, Respondent appeared before a Preliminary Evaluation Committee. The Board determined that Respondent appeared to be remorseful and that it did not appear that he engaged in the misconduct outlined above for

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monetary reasons. The Board modified the previous denial of his application for reinstatement by agreeing to reconsider its decision prior to Respondent's full reinstatement in New York. The Board agreed to reconsider as soon as Respondent can demonstrate two years of practice in a New York institutional setting, in compliance with the 1996 New York Order placing him on probation for two years during which period his practice was restricted to an institutional setting in New York State, with proof of favorable reports from his supervisors.

On February 26, 2003, Respondent appeared pro se and testified before a committee of the Board. Respondent testified

that he is fully licensed in New York State, having completed the required two year period of probation effective November 25, 2001, having practiced at Jamaica Hospital for 4 months 11 days and at Mid-Hudson Forensic Psychiatric Center for 19 months 20 days and continuing. Since April 6, 2000, he has worked at Mid-Hudson Forensic Psychiatric Center, New Hampton, New York as a staff psychiatrist on the 12 a.m. to 8 a.m. shift where he takes care of violent psychiatric patients through psychotherapy. He further testified that he has been credentialed and privileged by the facility's Medical Service Organization and he is employed on a full time basis. In support of his application for reinstatement, he provided a letter of recommendation from his supervisor, Geetha Aakalu, Director of Psychiatry at Mid-Hudson, and a list of

continuing medical education courses he has attended and completed from April 2002 through September 2003. Re expressed remorse for the conviction and expressed a desire to have his New Jersey license reinstated to enable him to practice medicine in this State.

Respondent having demonstrated that he has complied with the terms and conditions of all relevant New Jersey orders, thirty years having elapsed since the suspension of his New Jersey license, and Respondent having demonstrated sufficient rehabilitative efforts, the Board is satisfied that the public is adequately protected, and for other good cause shown;

IT IS ON THIS 11TH DAY OF MARCH, 2004,

ORDERED THAT:

1. Elio Maggio, M.D. is hereby granted an unrestricted license to practice medicine and surgery in the State of New Jersey.

NJ STATE BOARD OF MEDICAL EXAMINERS



By : _____

David M. Wallace, M.D.
President